

REMARKS

Claims 1-18 have been previously canceled; claims 23, 24, 31, 35 and 38 are currently canceled. Claims 19, 25 and 32 have been amended by way of this response. No new claims have been added. Thus, claims 19-22, 25-30, 32-34 and 36-37 are currently pending and presented for examination.

Response to rejections under 35 U.S.C. 102:

Claims 19-38, all of the appealed claims, stand rejected under 35 U.S.C. 102(e) as being anticipated by Okazaki et al. (US 2003/0154051).

Independent claim 19 has been amended by incorporating the elements of previously presented claims 23, 24 and 31 (now canceled). Further, claim 19 has been amended by incorporating the element that *"the data about the installation under investigation is requested beforehand by an operator of the installation and stored in the second database"*. Support for this amendment may be found for example in paragraph [00025] of the substitute specification. No new matter has been added.

In the decision on appeal, the board of appeal notes that the plant diagnosis system of Okazaki et al. is related to a plurality of installations. However, this only means that the plant diagnosis system can be used to diagnose a plurality of installations. In case of Okazaki et al., such a diagnosis of an installation takes places independently from the diagnosis of another installation and without using data from another installation.

In contrast, applicant's invention provides a diagnosis of one installation by using causation data from other installations. This causation data is relevant causation data of performance limits for a plurality of installations. This causation data collected from a plurality of installations is used to create a questionnaire for the diagnosis of a single installation.

Furthermore, data relating to the installation under investigation (details about installation elements occurring in the installation under investigation and data regarding employee target groups to be questioned with the questionnaire) is *requested beforehand* from the operator of the installation, by means of a questionnaire, and stored in the second database.

By supplying this data about *details about installation elements occurring in the installation* under investigation, the outlay required for questioning employees can be further reduced. It is then possible to select data of relevance to the installation under investigation from the plurality of data about causes of malfunctions and performance limits, thereby generating a questionnaire that only contains questions relating to the installation under investigation.

Furthermore, by supplying the data about the *employee target groups to be questioned with the questionnaire*, it is possible to tailor the questionnaire selectively to employee target groups in the installation under investigation, with the employees of a target group only receiving questions relevant to it. Questioning can therefore take place quickly and with the minimum outlay.

Okazaki discloses that the data possibly is related to “component” target groups (for example no. 1 turbine–XX power station, see col. 12, lines 50-67), but not to *employees to be questioned with the questionnaire*.

Independent claim 32 has been amended in accordance with independent claim 19.

In view of the above, independent claims 19 and 32 are patentable. Furthermore, claims 20-22 and 25-30, which depend on claim 19, and claims 33, 34, 36 and 37, which depend on claim 32, are also patentable at least based on their dependence from claim 19 or 32 as well as based on their own merits. Thus, applicant respectfully requests the examiner to withdraw the rejections.

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Conclusion

Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including fees for additional claims and terminal disclaimer fee, or credit any overpayments to deposit account no. 19-2179.

Respectfully submitted,

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